



# UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
P.O. BOX 1450, ALEXANDRIA, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

Mail Date: 11/15/04  
Application Number: 10/618199

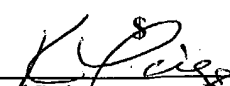
KEVIN D MCCARTHY, ESQ  
ROACH BROWN MCCARTHY & GRUBR, PC  
1620 LIBERTY BUILDING, 420 MAIN STREET  
BUFFALO, NY 14202

## NOTICE TO PAY BALANCE OF ISSUE FEE

The issue fee payment filed on 10/15/04 has been received. Although the fee specified in the Notice of Allowance was received, new patent fees went into effect on October 1, 2004, after the mailing date of the Notice. See the final rule, *Revision of Patent Fees for Fiscal Year 2005, Final Rule*, 69 Fed. Reg. 52604 (August 27, 2004). As stated in the final rule, "Any fee amount that is paid on or after the effective date of the fee adjustment will be subject to the new fees then in effect." The Notice of Allowance (Form PTOL-85) that was mailed prior to October 1, 2004, stated an issue fee amount that was in effect prior to October 1, 2004. However, in as much as the issue fee was paid on or after October 1, 2004, the new issue fee amount was due instead of the amount specified in the Notice of Allowance.

In accordance with 37 CFR 1.317, applicant is given a time period of **THREE (3) MONTHS** from the mailing date of this notice during which to pay the **BALANCE DUE** indicated below. The balance due is the difference between the issue fee required on the date that the correct issue fee is paid and the amount that was previously paid. Applicants should check the current fee schedule posted on the USPTO internet web site at: <http://www.uspto.gov/main/howtofees.htm> before paying the balance due in order to ensure that the correct fee is paid. This three-month time period may **not** be extended. If the balance due is not paid before the expiration of the three-month period, the application will become abandoned (if not issued) or the patent will lapse (if issued) at the termination of the three-month period.

	Column A	Column B	
TYPE OF ISSUE	ISSUE FEE IN EFFECT	ISSUE FEE	BALANCE DUE <sup>1</sup>
FEE PAID	AS OF OCTOBER 1, 2004	PAID	[Col. A minus Col. B]
	large entity / small entity		
UTILITY	\$1,370.00 / \$685.00	\$ 665.00	\$ 20.00
DESIGN	\$490.00 / \$245.00	\$	\$
PLANT	\$660.00 / \$330.00	\$	\$

  
Krystal Paige, Patent Publications  
Tel: 703-305-9080

**A copy of this notice MUST be returned with payment.**

### CERTIFICATE OF MAILING

I hereby certify that this notice and the required additional fee are being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

<sup>1</sup> Applicants should check the current fee schedule posted on the USPTO internet web site at: <http://www.uspto.gov/main/howtofees.htm> before paying the balance due in order to ensure that the correct issue fee is paid.